

MINUTE ORDER

CASE NUMBER: CIVIL NO. 17-00554 LEK-RT

CASE NAME: Benita J. Brown vs. Porter McGuire Kiakona & Chow, LLP et al.,

JUDGE: Leslie E. Kobayashi

DATE: 3/17/2021

COURT ACTION: EO: COURT ORDER REGARDING THE WITHDRAWAL OF THE PARTIES' MOTIONS FOR SUMMARY JUDGMENT AND THE STATUS CONFERENCE SCHEDULED FOR MARCH 25, 2021

On March 9, 2021, an entering order was issued ("3/9/21 EO") directing Plaintiff Benita J. Brown ("Plaintiff") and Defendant/Cross-Claimant/Third-Party Plaintiff Association of Apartment Owners of Terrazza/Cortebella/Las Brisas/Tiburon ("Terrazza AOA") to submit letter briefs regarding, *inter alia*, whether their pending motions for summary judgment would be withdrawn in light of the settlement between those parties. [Dkt. nos. 167 (Plaintiff's motion), 180 and 182 (the Terrazza AOA's motions), 188 (3/9/21 EO).]

Plaintiff submitted her letter brief on March 12, 2021, and the Terrazza AOA submitted its letter brief on March 15, 2021. [Dkt. nos. 193, 194.] In addition, Plaintiff filed a notice of the withdrawal of her motion on March 12, 2021, [dkt. no. 192,] and the Terrazza AOA filed notices of the withdrawal of its motions on March 17, 2021, [dkt. nos. 197, 198]. Based on the letter briefs and the notices of withdrawal, the motions for summary judgment are HEREBY TERMINATED.

The 3/9/21 EO also ordered counsel for all parties to appear for a status conference on **March 25, 2021, at 1:30 p.m.** [3/9/21 EO at 2.] The status conference will proceed as scheduled, and will be held by video-teleconference. Counsel should be prepared to address whether the remaining parties will be ready to proceed with trial, which is currently scheduled to begin on **June 14, 2021**. Although the Terrazza AOA is not expected to participate in the trial as a party, because the anticipated filing of the Terrazza AOA's petition for determination of good faith settlement may impact the trial date, counsel for the Terrazza AOA must also appear at the status conference.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager